

Message Text

CONFIDENTIAL

PAGE 01 BUENOS 03757 01 OF 02 161627Z
ACTION ARA-14

INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 PM-05 H-01
INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15
ICA-11 HA-05 TRSE-00 AID-05 /090 W
-----114122 161756Z /45

R 161502Z MAY 78
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC 5728
INFO AMEMBASSY ASUNCION
AMEMBASSY BRASILIA
AMEMBASSY MONTEVIDEO
AMEMBASSY PARIS
AMEMBASSY SANTIAGO
USCINCSO PANAMA CANAL ZONE

C O N F I D E N T I A L SECTION 1 OF 2 BUENOS AIRES 3757

E.O. 11652: GDS
TAGS: SHUM, AR
SUBJECT: HUMAN RIGHTS ROUNDUP

1. INTRODUCTION

THIS CABLE CONTAINS A POTPOURRI OF
RECENT EVENTS IN ARGENTINA WHICH THE
DEPARTMENT MAY WISH TO DRAW ON IN RESPONDING
TO THE WIDE RANGE OF HUMAN RIGHTS INQUIRIES
IT RECEIVES. END INTRODUCTION

2. RADICAL PARTY PETITIONERS TO BE INDICTED
FEDERAL POLICE ANNOUNCED ON APRIL 24
THAT CHARGES WOULD BE BROUGHT AGAINST 37 RADICAL
PARTY LEADERS FOR ISSUING A POLITICAL COMMUNIQUE
IN VIOLATION OF LAW 21,323 WHICH PROHIBITS
POLITICAL ACTIVITIES. (SEE BUENOS AIRES 3490.) THE RADICALS'
COMMUNIQUE ENTITLED "FOR UNION PEACE JUSTICE AND SECURITY" INTER-
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BUENOS 03757 01 OF 02 161627Z

ALIA WARNED THE ARMED FORCES AGAINST CREATING A
POLITICAL PARTY OF THEIR OWN AS "THE ARMED FORCES
MUST BE THE SYMBOL OF NATIONAL UNION AND NEVER A
FACTION." THIS IS ONE STAGE MORE IN AN ONGOING
SQUABBLE BETWEEN THE MILITARY GOVERNMENT AND FORMER
POLITICAL LEADERS, WITH THOSE LEADERS PRESSING HARD
AGAINST THE GOVERNMENT'S BAN IN A SITUATION THAT FINDS

THE GOVERNMENT ITSELF WAVERING BETWEEN A TOUGH LINE
AND DELIVERATELY OVERLOOKING SOME VIOLATIONS.

3. POLICE PROCEDURES ANNOUNCED

BECAUSE OF A NUMBER OF PSEUDO-POLICE OPERATIONS,
THE CHIEF OF THE FEDERAL POLICE PUBLICLY ANNOUNCED ON
APRIL 7 THAT PRIOR TO ANY SEARCHES OF A RESIDENCE
POLICE OFFICERS ARE REQUIRED TO IDENTIFY THEMSELVES
WITH THEIR CREDENTIALS. FURTHERMORE, A RECEIPT FOR
ANY PROPERTY REMOVED FROM THE PREMISES WILL BE LEFT
SIGNED BY THE POLICE OFFICERS, THE OWNER, AND TWO
WITNESSES.

4. NEW JAIL TO BE INAUGURATED

ON APRIL 19 A POLICE SPOKESMAN ANNOUNCED THAT THE
NEW BUENOS AIRES JAIL WILL BE PUT IN OPERATION THIS
YEAR. THE JAIL IS DESIGNED FOR 1,860 INMATES AND
ACCORDING TO OFFICIAL SOURCES WILL CONTAIN MODERN
FACILITIES FOR SPIRITUAL, EDUCATIONAL, CULTURAL AND
SPORTS ACTIVITIES.

5. GENERAL SUBVERSIVE LAW TO BE EXPANDED

ON APRIL 27, THE MINISTRY OF DEFENSE SUBMITTED
TO THE LEGISLATIVE ADVISORY COMMISSION (CAL) A PROPOSAL
TO EXTEND THE PRESENT SCOPE OF LAW 20,840 WHICH COVERS
CRIMES AGAINST THE INSTITUTIONAL ORDER AND THE SOCIAL
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 BUENOS 03757 01 OF 02 161627Z

PEACE. THE PROPOSAL IS TO INCLUDE THOSE PERSONS
RESPONSIBLE FOR INSTIGATING SUBVERSIVE ACTS, AS WELL
AS THE AUTHORS AND THEIR ACCOMPLICES WHO ARE COVERED
UNDER THE PRESENT LEGISLATION. (NOTE: LAW 20,840
IS THE BASIC ANTI-SUBVERSIVE LEGISLATION IN ARGENTINA.)

6. BODIES OF "DISAPPEARED" GUERRILLAS DISCOVERED

ON APRIL 3, A CAPTURED ERP MEMBER LED PERSONNEL
OF THE ARMY'S 3RD CORPS AND A GROUP OF REPORTERS TO
AN ABANDONED HOUSE OUTSIDE OF RIO TERCERO, CORDOBA
PROVINCE. THERE THE BODIES OF TWO ERP GUERRILLAS WHO
WERE WOUNDED IN AN ATTACK ON AUGUST 5, 1974 AGAINST
ARMY EXPLOSIVE FACTORY IN VILLA MARIA WERE DISCOVERED.
THE GUERRILLAS REPORTEDLY DIED DUE TO LACK OF MEDICAL
ATTENTION AND WERE SECRETLY BURIED BY THEIR COMPANIONS
AND THEN LATER REPORTED AS DISAPPEARED.

7. FRENCH MISSIONARIES REPATRIATED

IN DISCUSSIONS BETWEEN ARGENTINE GOVERNMENT AND
FRENCH EMBASSY OFFICIALS AFTER THE DISAPPEARANCE OF
THE TWO FRENCH NUNS IN EARLY DECEMBER 1977, MEMBERS
OF AN ARGENTINE SECURITY SERVICE IDENTIFIED TWO

OTHER FRENCH MISSIONARIES WHOSE PRESENCE IN ARGENTINA MIGHT OCCASION TROUBLE. ACCORDING TO FRENCH EMBASSY SOURCES, FATHER JULIEN DENIS OF THE CONGREGATION OF MONTFORTAINS AND A FRENCH NUN COMPLIED WITH A SUGGESTION FROM THE FRENCH EMBASSY TO LEAVE ARGENTINA.

8. MONTES PAINTS OPTIMISTIC VIEW OF US/ARGENTINE RELATIONS
IN A RECENT SPEECH BEFORE A GROUP OF PROMINENT INDUSTRIAL REPRESENTATIVES, FOREIGN MINISTER MONTES PAINTED A ROSY PICTURE OF THE STATE OF ARGENTINE FOREIGN RELATIONS. ASKED ABOUT THE IMPACT OF HUMAN RIGHTS ACTIVISTS IN THE US ON ARGENTINE/US RELATIONS, MONTES REPLIED THAT BILATERAL RELATIONS WERE PERFECTLY CONFIDENTIAL

CONFIDENTIAL

PAGE 04 BUENOS 03757 01 OF 02 161627Z

NORMAL AND THAT ARGENTINA SHOULD NOT ALLOW PASSING IRRITATIONS TO GET IN THE WAY OF LONG-TERM INTERESTS WHICH CALLED FOR A MUTUALLY DEPENDENT AND CONSTRUCTIVE RELATIONSHIP. THE ONLY SORE SPOT IN THE INTERNATIONAL PICTURE WHICH MONTES ACKNOWLEDGED WAS THE WESTERN EUROPEAN SCENE. HE FORCEFULLY REPUDIATED THE MONTONERO PROPAGANDA CAMPAIGN CURRENTLY BEING CARRIED OUT AGAINST ARGENTINA FROM WESTERN EUROPE, IMPLICITLY CRITICIZING EUROPEAN GOVERNMENTS FOR BEING AMBIVALENT IN THE FACE OF THESE PROVOCATIONS. REFLECTING THE PREVAILING CONVENTIONAL WISDOM IN GOA CIRCLES, MONTES MUSED THAT PERHAPS THE RECENT WAVE OF TERRORISM IN ITALY WOULD CHANGE EUROPEAN IDEAS ABOUT THE WAY ARGENTINA HAD CONDUCTED ITS ANTI-TERRORIST CAMPAIGN.

9. JUDICIAL PROCEDURE ESTABLISHED FOR PRISONER MISTREATMENT
THE SUPREME COURT DECIDED ON APRIL 27 THAT FEDERAL CRIMINAL JUDGES ARE THE COMPETENT JUDICIAL AUTHORITIES TO RECEIVE COMPLAINTS OF PRISONER MISTREATMENT. UNTIL THAT DECISION FEDERAL CRIMINAL JUDGES HAD REFUSED TO ENTERTAIN PRISONER CHARGES OF MISTREATMENT, CLAIMING THAT THEY SHOULD BE ADJUDICATED

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 BUENOS 03757 02 OF 02 161642Z

ACTION ARA-14

INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 PM-05 H-01

INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15

ICA-11 HA-05 TRSE-00 AID-05 /090 W

-----114222 161758Z /45

R 161502Z MAY 78

FM AMEMBASSY BUENOS AIRES

TO SECSTATE WASHDC 5729

INFO AMEMBASSY ASUNCION

AMEMBASSY BRASILIA

AMEMBASSY MONTEVIDEO

AMEMBASSY PARIS

AMEMBASSY SANTIAGO

USCINCSO PANAMA CANAL ZONE

C O N F I D E N T I A L SECTION 2 OF 2 BUENOS AIRES 3757

IN THE ADMINISTRATIVE TRIBUNALS. HOWEVER, PRISONER
MISTREATMENT CASES SUBMITTED TO THE ADMINISTRATIVE
COURTS WERE ROUTINELY DISMISSED FOR LACK OF STANDING.

A FEMALE PRISONER FILED A PETITION CLAIMING THAT
SHE WAS BEING INCARCERATED UNDER CONDITIONS WHICH
VIOLATED THE NORMS ESTABLISHED BY THE ARGENTINE
CONSTITUTION. HER COMPLAINT WAS REJECTED ON PROCEDURAL
GROUNDS BY BOTH THE CRIMINAL AND THE ADMINISTRATIVE
COURTS. SHE THEN APPEALED TO THE SUPREME COURT, WHICH
DECIDED THAT THE JURISDICTION SHOULD BE PLACED IN THE
HANDS OF THE PRESIDING CRIMINAL JUDGE WHO WAS IN A POSITION TO
VERIFY THE CONDITION OF THE PRISONER AT THE TIME OF
SENTENCING, HAD RESPONSIBILITY FOR THE CONDITIONS OF THE
PRISONER'S DETENTION, AND CONSEQUENTLY HAD AUTHORITY TO
CALL TO THE ATTENTION OF PENAL AUTHORITIES ANY FAULTS
OR DEFECTS IN THE PRISONER'S TREATMENT.

10. SECURITY FORCE OPERATIONS

ACCORDING TO INFORMATION RECEIVED FROM NEXT OF KIN
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BUENOS 03757 02 OF 02 161642Z

REPORTS, THE PERMANENT ASSEMBLY AND THE MOVIMIENTO
ECUMENICO POR LOS DERECHOS HUMANOS (MEDH), THERE APPEARS
TO BE A SHIFT IN SECURITY OPERATIONS TARGETING. FEWER
PROFESSIONALS AND PERONIST YOUTH MOVEMENT STUDENTS ARE
DISAPPEARING. HOWEVER, OPERATIONS IN BUENOS AIRES PROVINCE HAVE
BEEN INTENSIFIED AGAINST MEMBERS OF THE PARTIDO
COMMUNISTA REVOLUCIONARIO (A MAOIST PARTY THAT
CLAIMS TO BE NON-TERRORIST), URUGUAYAN EXILES, AND
SHOP FLOOR UNION LEADERSHIP. THE NUMBER OF OPERATIONS
APPEARS TO HAVE BEEN STEADY OVER THE LAST THREE MONTHS,

AND THE TARGETING SHIFT APPEARS TO BE BASED ON EFFORT EFFECTIVENESS. A RELIABLE EMBASSY SOURCE HAS NOTED THAT THE ARGENTINE COMMUNIST PARTY (PCA) HAS BEEN ATTEMPTING TO DEVELOP SUPPORT AMONG WORKERS IN FACTORY AREAS, BUT HAS NOT MADE PROGRESS DUE TO REMAINING STRONG PERONIST SYMPATHIES. THE PCA IS ALSO OPERATING IN THE UNIVERSITIES AND HAS SET UP THE REFORMIST ORGANIZATIONAL MOVEMENT (MOR) WHICH IS SEEKING TO IDENTIFY STRONGLY WITH THE STUDENTS. ALTHOUGH SECURITY FORCES SURVEILLANCE OF PCA OPERATIONS IS TIGHT, THERE HAVE BEEN ONLY SPORADIC OPERATIONS AGAINST PARTY MEMBERS. A PERSON CONNECTED WITH THE PCA REPORTED THAT 25 PCA MEMBERS WERE REPORTED TO HAVE DISAPPEARED OR TO HAVE BEEN KILLED IN 1977. ANOTHER PCA SOURCE CLAIMS THAT ABOUT 100 HAVE DISAPPEARED SINCE MARCH, 1976.

11. AISC LIST DELIVERED TO GOA

THE EMBASSY PRESENTED AN UPDATED LIST OF PERSONS REPORTED MISSING AND DETAINED IN ARGENTINA PREPARED BY THE ARGENTINE INFORMATION AND SERVICE CENTER (AISC) TO THE FOREIGN MINISTRY ON APRIL 17. THE LIST WAS TRANSMITTED UNDER COVER OF AN AIDE MEMOIRE STATING THAT ALTHOUGH THE USG HAD NO MEANS OF VERIFYING THE INFORMATION

CONFIDENTIAL

PAGE 03 BUENOS 03757 02 OF 02 161642Z

CONTAINED IN THE TRANSMITTED LIST, IT WISHED TO MAKE THE LIST AVAILABLE TO THE GOA FOR ITS USE.

THE LATEST EDITION OF THE AISC LIST IS A MARKED IMPROVEMENT OVER THE ROUGHER EARLIER EDITIONS, BUT THE LIST IS STILL FAR FROM SATISFACTORY. IT IS, IN FACT, A POTPOURRI OF LISTS AND CONSEQUENTLY SUFFERS FROM THE SHORTCOMING OF ITS SOURCES. THE DOCUMENT CONTAINS A MIX OF DISAPPEARANCES, DETENTIONS AND KILLINGS--SOME PRIOR TO MARCH 1976. FIVE TO TEN PERCENT OF THE ENTRIES CONTAIN LITTLE OR INCOMPLETE INFORMATION. OBVIOUS DUPLICATIONS ARE BRACKETED IN THE LATEST LIST, BUT THERE ARE STILL A SMALL NUMBER OF OTHER POSSIBLE DUPLICATIONS.

THE MAJOR PROBLEM WITH THE LIST IS THAT IT IS NOT COMPLETE, EVEN IN SUCH "EASY" CATEGORIES AS PEN DETAINEES. A 20 PERCENT RANDOM SAMPLE OF THE US INTEREST DISAPPEARED AND DETAINED CASES WHICH HAVE BEEN PRESENTED TO THE FOREIGN OFFICE WAS CHECKED WITH THE LIST'S ENTRIES AND ONLY HALF OF THESE CASES APPEARED ON THE AISC LIST.

THE AISC LIST'S OBVIOUS SHORTCOMINGS ALLOW ITS USEFULNESS AS A REFERENCE DOCUMENT TO BE CLOUDED. AFTER ADJUSTING FOR ITS ERRORS, IT STILL APPEARS TO BE A REPORT OF CLOSE TO 9,000 DETENTIONS AND DISAPPEARANCES WHICH CAN BE ACCEPTED AS AN INDICATOR OF THE MAGNITUDE OF ARGENTINA'S HUMAN RIGHTS PROBLEM.

12. SELF-ARREST PROGRAM

INFORMATION REGARDING REDUCED SENTENCES GIVEN TO FIVE SUBVERSIVES WHO VOLUNTARILY TURNED THEMSELVES IN TO GOVERNMENT AUTHORITIES RECEIVED WIDE PRESS PLAY ON APRIL 19 AND 20. FIVE SUBVERSIVES, THREE FEMALE ERP MEMBERS AND TWO MALE MONTONEROS, WERE CONVICTED FOR DISTRIBUTION OF ILLEGAL PROPAGANDA AND RECEIVED SENTENCES RANGING FROM 8 TO 25 YEARS. UNDER THE TERMS OF THE "SELF ARREST" PROGRAM, THEY WILL SERVE ONLY ONE-THIRD OF THEIR SENTENCES IN SPECIAL PENAL FACILITIES WHERE NO REGULARLY ARRESTED SUBVERSIVES WILL

CONFIDENTIAL

CONFIDENTIAL

PAGE 04 BUENOS 03757 02 OF 02 161642Z

BE DETAINED. HUSBANDS AND WIVES WILL BE ALLOWED TO STAY TOGETHER AND YOUNG CHILDREN WILL NOT BE SEPARATED FROM THEIR MOTHERS.

13. POLICE ACTIVITIES REPORTED

FEDERAL POLICE OFFICIALS MADE A NUMBER OF ANNOUNCEMENTS REGARDING POLICE OPERATIONS ON MARCH 22. THE OFFICIALS STATED THAT THE VIRTUAL ANNIHILATION OF SUBVERSION HAS PERMITTED THE POLICE TO INCREASE THEIR NORMAL ACTIVITIES. THE DIGICOM SYSTEM IS NOW BEING UTILIZED TO ITS FULL CAPACITY OF 80,000 IDENTIFICATIONS WEEKLY. POLICE CHIEF OJEDA STATED THAT PERSONS UNDER THE PEN FOR ECONOMIC CRIMES WILL CONTINUE IN THAT STATUS UNTIL THE EXISTING LAWS ARE AMENDED TO ALLOW THEM TO BE TRIED. CRIMES AGAINST PROPERTY FELL IN THE LAST HALF OF 1977 BY 2 PERCENT IN COMPARISON WITH THE SAME PERIOD IN 1976, SOLVED CASES INCREASED TO 62 PERCENT AGAINST 53 PERCENT FOR THE FIRST HALF OF THE YEAR. AUTO-MOBILE THEFT ALSO FELL. POLICE EFFORTS AGAINST DRUGS HAVE BEEN SUCCESSFUL WITH THE CAPTURE OF OVER 8,000 KILOS IN THE LAST HALF OF 1977, COMPARED WITH 5,000 CAPTURED KILOS IN THE FIRST 6 MONTHS. INCREASING ATTENTION IS BEING FORCUSED ON ECONOMIC CRIMES.

CASTRO

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, REPORTS, POLITICAL SITUATION
Control Number: n/a
Copy: SINGLE
Draft Date: 16 may 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978BUENOS03757
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780206-1057
Format: TEL
From: BUENOS AIRES
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780556/aaaabuzu.tel
Line Count: 321
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: b057c19c-c288-dd11-92da-001cc4696bcc
Office: ACTION ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 22 jun 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2682656
Secure: OPEN
Status: NATIVE
Subject: HUMAN RIGHTS ROUNDUP
TAGS: SHUM, AR
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/b057c19c-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014